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प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 19th February, 1965:—

BILL NO. 80 OF 1964

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, Short title. 1964.
- 5 2. In article 368 of the Constitution,

(i) clause (a) of the proviso shall be renumbered as clause (aa); and (ii) before clause (aa) as so re-numbered, the following clause shall be inserted, namely:—	Amend- ment of article 368.
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- 10 (a) Part III.

STATEMENT OF OBJECTS AND REASONS

While upholding the validity of the Constitution (Seventeenth Amendment) Act, 1964, the Supreme Court has opined that it would be better if the proviso to article 368 of the Constitution of India is amended to provide for the ratification of any amendment to Part III of the Constitution by State Legislatures. The present Bill aims to give effect to the suggestion made by the Supreme Court.

NEW DELHI;

YASHPAL SINGH.

The 14th November, 1964.

BILL NO. 87 OF 1964

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1964. Short title.

5 2. In article 124 of the Constitution, in clause (7), after the words “within the territory of India”, the words “or shall be eligible for further employment either under the Government of India or under the Government of a State or under a private body in any capacity whatsoever” shall be inserted. Amendment of article 124.

10 3. In article 220 of the Constitution, after the words “and the other High Courts”, the words “or shall be eligible for further employment either under the Government of India or under the Government of a State or under a private body in any capacity whatsoever” shall be inserted. Amendment of article 220.

STATEMENT OF OBJECTS AND REASONS

In our country the Judiciary has been held in high esteem on account of its traditional independence and impartiality. In the days gone by, the Judges refused to accept even invitations to functions and parties organised by Government so that the independence and impartiality of the Judges could not be tarnished. Nowadays, instances of acceptance of office by the Judges of the Supreme Court or the High Courts after their retirement are not rare. This may lead to the belief, however unfounded it may be, that the Judges are amenable to influence by the lure of office after their retirement. Hence, acceptance of office, even in an honorary capacity, by the Judges of Supreme Court and the High Courts after their retirement is not desirable.

Already there is a provision in the Constitution of India imposing restriction on the Comptroller and Auditor General of India in the matter of acceptance of office after retirement. It is all the more necessary that similar restriction should be imposed on the Judges of Supreme Court and High Courts.

The Bill seeks to remove the lacuna in the Constitution by prohibiting such acceptance of office by the Judges after retirement.

NEW DELHI;

C. K. BHATTACHARYYA.

The 20th November, 1964.

BILL No. 2 of 1965

A Bill further to amend the Companies Act, 1956.

BE it enacted by Parliament in the Sixteenth Year of the Republic of India as follows:—

1. This Act may be called the Companies (Amendment) Act, 1965. Short title.

of 1956. 5 2. After section 13 of the Companies Act, 1956 (hereinafter referred to as the principal Act), the following new section shall be inserted, namely:— Insertion of new section 13A.

10 “13A. Notwithstanding anything contained in the memorandum or articles of association, a company shall not contribute any amounts to any political party or political fund.” Ban on contribution to political party or fund.

3. In clause (e) of sub-section (1) of section 293 of the principal Act, the words “and other” shall be omitted. Amendment of section 293.

Substitution of new section for section 293A.

4. For section 293A of the principal Act, the following section shall be substituted, namely:—

Ban on contribution to political party etc.

"293A. Notwithstanding anything contained in any law for the time being in force, no company shall subscribe or contribute directly or indirectly to any political party or political fund 5 or financially help any candidate for election to either House of Parliament or State Legislature by providing any sum of money, gift, donation or any other service or benefit capable of being evaluated in terms of money either by themselves or along with other social, charitable or other objects." 10

Insertion of new section 624C.

5. After section 624B of the principal Act, the following new section shall be inserted, namely:—

Complaint to Court and penalty for offence.

"624C. (1) Notwithstanding anything contained in any law for the time being in force, where an offence appears to have been committed under section 13A or section 293A, any citizen 15 of India may make a complaint to a Court not inferior to that of a Presidency Magistrate or a Magistrate of the First Class and such complaint shall be inquired into.

(2) Any person, against whom such offence is proved, shall be punishable with imprisonment for a term which may extend 20 to five years and with fine which shall not be less than the amount so contributed."

STATEMENT OF OBJECTS AND REASONS

Certain companies are frequently contributing large sums of money to certain political parties. They are also sponsoring certain candidates for election to Parliament and State Legislatures. The present Bill aims at prohibiting these undesirable practices.

NEW DELHI;
The 15th January, 1965.

YASHPAL SINGH.

S. L. SHAKDHER,
Secretary.

CORRIGENDA

In the Gazette of India Extraordinary, Part II—Section 2—

1. No. 48, dated the 17th November, 1964:—

- (i) Page 774, marginal heading to clause 26, for 'gramme' read 'programme'; and
- (ii) Page 778, read 'Protection of action taken under this Act.' as marginal heading to clause 40.

2. No. 54, dated the 4th December, 1964:—

- (i) Page 860, marginal heading to clause 25, for 'on' read 'an'; and
- (ii) Page 884, marginal heading to clause 85, after 'and' read 'other'.

3. No. 58, dated the 17th December, 1964:—

Page 963, line 3 from bottom, read '2 of 1934.' as marginal reference.

